

## CLASSIFICATION OFFICE DECISION

**Title of publication:** 069D5B5B-857D-4275-B6BA-9BE3967E9781

**Other known title(s):** Christchurch Mosque Attack Livestream Clip (0:24)

**OFLC ref:** 1900598.015

**Medium:** Video File

**Producer:** Not stated

**Country of origin:** Not stated

**Language:** English

**Applicant:** Commissioner of Police

<b>Classification:</b>	Objectionable.
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**Excisions:** No excisions recommended

**Descriptive note:** None

**Display conditions:** None

**Date of entry in Register:** 19 February 2020

**Date of direction to issue a label:** No direction to issue a label has been issued

**Date of notice of decision:** 19 February 2020

	Components	Running time
<b>Feature(s):</b>	069D5B5B-857D-4275-B6BA-9BE3967E9781	0:24
<b>Total running time:</b>		0:24

### Summary of reasons for decision:

'069D5B5B-857D-4275-B6BA-9BE3967E9781' is a digital video file that is 24 seconds in length. It is a video capture of a phone screen that initially displays a series of messages along with a link containing a screenshot of 'Christchurch Mosque Attack Livestream' (OFLC Ref: 1900148.000). The link is activated and a clip of 'Christchurch Mosque Attack Livestream' is played. The clip appears to be a screen capture of the original broadcast on the alleged gunman's Facebook page as his profile name and image are seen below the livestream. The clip captures 18 seconds of footage from 'Christchurch Mosque Attack Livestream' that takes place between 6 minutes 46 seconds and 7 minutes 04 seconds. It is interrupted for one second by the screen lock feature on the phone being

switched off. The video does not contain an audio track. The video file captures the core essence of 'Christchurch Mosque Attack Livestream'. The video clearly documents a real act of extreme violence and cruelty – namely the graphic mass murder of unsuspecting and defenceless worshippers at a mosque. There is nothing in the publication that mitigates or denounces the activity being depicted. The video is not presented in the context of media reporting on the atrocity, or as a piece of research or analysis into the event. Despite its brevity and the lack of sound, the publication presents the same purpose and effect as 'Christchurch Mosque Attack Livestream' and is also considered objectionable as it promotes and supports the infliction of extreme violence and extreme cruelty. There is no other reasonable reading of the publication. In making this decision, the right to freedom of expression – that is to seek, receive and impart information and opinions – protected under s14 of the New Zealand Bill of Rights Act 1990 was considered, together with the fact that under s5 of that Act this freedom is subject “only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society”. An objectionable classification is considered to be a demonstrably justified limit on that freedom in this case due to the high likelihood of significant injury to the public good arising directly from the video’s continued availability.